

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.37291/2016

S.Vasu .. Petitioner

Vs.

1.The Tahsildar  
Nagapattinam Taluk  
Nagapattinam.

2.The Head Surveyor  
Nagapattinam Taluk  
Nagapattinam.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider the petitioner's application dated 04.07.2016 and the reminder representation dated 03.10.2016 for measurement and subdivision of the petitioner's share of property comprised in Survey NO.65/7B, [Old Survey No.65/7] at Pa.Konthagai village, Thittacheri Taluk, Nagore, Nagapattinam District, within the time stipulated by this Court.

For Petitioner : Mr.R.Nilavazhagan

For RR1 & 2 : Mr.P.Senthilvel, GA

ORDER

Heard the learned counsel for the petitioner and Mr.P.Senthilvel, learned Government Advocate who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

**2** The petitioner would state that his father had purchased a landed property from one Mr.Rajesh, admeasuring to an extent of 0.13 cents, comprised in Survey N.65/7B [Old S.No.65/7] situate at Pa.Kothangai Village, Thittacheri Taluk, Nagore, Nagapattinam District, by way of a registered Sale Deed dated 04.01.1996 bearing Doc.No.4/1996, registered on the file of the office of the Sub Registrar, Thirumarugal and was in possession and enjoyment of the same. Subsequent to the death of the petitioner's father on 16.02.2008, the along with his brother and two sisters, had partitioned the property through a registered Partition Deed bearing Doc.No.1545/2015 dated 11.12.2015, registered on the file of the Sub Registrar, Nagore and they are in absolute possession and enjoyment of the same. It is the further case of the petitioner that though his application dated 04.07.2016 seeking for measurement and sub-division of his portion of

the property, has been received and acknowledged by the respondents vide Application No.2016/0105/19/002672 and Acknowledgment No.0331901046680, on payment of necessary charges, the respondents are yet to consider the same and hence, the petitioner sent another reminder representation dated 03.10.2016 through RPAD and though the said reminder was received and acknowledged by the 1<sup>st</sup> respondent, the respondents have not taken any steps to measure and sub-divide the petitioner's property and therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

**3** Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in this writ petition or in his representation, directs the 2<sup>nd</sup> respondent to consider and dispose of the petitioner's representations dated 04.07.2016 and 03.10.2016 on merits and in accordance with law and pass orders as expeditiously as possible.

**4** The writ petition stands disposed of with the above

direction. No costs.

25.10.2016

AP

B.RAJENDRAN, J.,  
AP

To

- 1.The Tahsildar  
Nagapattinam Taluk  
Nagapattinam.
- 2.The Head Surveyor  
Nagapattinam Taluk  
Nagapattinam.

WP.No.37291/2016

25.10.2016